

1 -----UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF NEW YORK
3 WEISS, et al., :
4 : 05-CV-4622
5 Plaintiffs, :
6 :
7 v. :
8 : 225 Cadman Plaza East
9 NATIONAL WESTMINSTER BANK, : Brooklyn, New York
10 :
11 Defendant. : September 9, 2008
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TRANSCRIPT OF CIVIL CAUSE FOR CONFERENCE
BEFORE THE HONORABLE MARILYN D. GO
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

11 For the Plaintiffs in MARK S. WORBNER, ESQ.
12 Applebaum v. Nat West Sayles Werbner
and Wolf v. Credit 1201 Elm Street
13 Lyonnais: 4400 Renaissance Tower
Dallas, Texas 75270

14 RICHARD D. HEIDEMAN, ESQ.
15 NOEL J. NUDELMAN, ESQ.
16 Heideman Nudelman & Kalik PC
1146 19th Street NW
Washington, D.C. 20036

17 For the Plaintiffs in JOSHUA D. GLATTER, ESQ.
18 Weiss v. Nat West and GARY OSEN, ESQ.
19 Strauss v. Credit AARON SCHLANGER, ESQ.
Lyonnais: Osen LLC
700 Kinderkamack Road
Oradell, New Jersey 07649

20 STEVEN M. STEINGARD, ESQ.
21 STEPHEN H. SCHWARTZ, ESQ.
22 Kohn, Swift & Graf, PC
One South Broad Street
23 Suite 2100
Philadelphia, Pennsylvania 19107

24 (Appearances continue on next page.)
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EXHIBIT

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MR. FRIEDMAN: First of all, none of that's true. Thank God, I live in a country where suspicion is not fact.

But secondly, the notion that the only thing the bank was concerned about is getting a lawsuit from people injured in terrorist attacks is ludicrous. The bank has it's own regulatory obligations --

THE COURT: Well, I --

MR. FRIEDMAN: -- and it consulted with its English counsel about what its obligations were under English law in light of this. I mean, there's a self-centered aspect to this argument that is incredible that if -- that the only thing the bank was concerned about was being accused by victims of Hamas attacks. The bank has its own regulatory obligations and it consulted with its own counsel and it had internal consultations for the purpose of consulting with counsel. It wasn't about getting ready for this lawsuit. That doesn't mean it didn't happen.

THE COURT: I don't want to hear any more argument. I think this is certainly an important case, as you all recognize, and critical to the plaintiff's claim -- third claim in the Nat West case is the extent of Nat West's knowledge. I am sensitive to the attorney/client privilege. I think perhaps more so than many of the judges who have opined on this, but -- on various aspects of the privilege,